

M
FILED
LODGED 2/1 ENTERED
RECEIVED

FEB 04 2000

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPT 71

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PERRY MADSEN,

Plaintiff,

v.

JUDGE PHILIPS, et al.,

Defendants.

Case No. C99-1805C

ORDER GRANTING
APPLICATION TO PROCEED *IN FORMA PAUPERIS* AND
DIRECTING INSTITUTION TO
CALCULATE, COLLECT, AND
FORWARD PAYMENTS

The Court, having reviewed plaintiff's application to proceed in forma pauperis, does hereby find and ORDER.

(1) Plaintiff's declaration indicates he is unable to afford the court's filing fee or give security therefor. Accordingly, plaintiff's application to proceed as a pauper is **GRANTED**. As set forth below, **an initial partial filing fee will be collected, and plaintiff is required to make monthly payments of 20 percent of the preceding months income credited to his/her account until the full amount of the filing fee is satisfied.**

(2) Pursuant to 28 U.S.C. § 1915 and plaintiff's approved application to proceed *in forma pauperis*, the agency having custody of the above named plaintiff is directed to calculate an initial partial filing fee equal to 20 percent of greater of -- the average monthly deposits to the prisoner's account or the average monthly balance in the prisoner's account for the 6-month period immediately preceding the date of this Order. The initial partial filing fee should be forwarded to the court clerk as soon as practicable.

Subsequently, if the prisoner's account exceeds \$10.00, each month the agency having custody of plaintiff is directed to collect and forward payments equal to 20 percent of the prisoner's preceding

1 month's income credited to the prisoner's account. In the event that the monthly payment would reduce
2 the prisoner's account below \$10.00, the agency having custody of plaintiff should collect and forward
3 only that amount which would reduce the prisoner's account to the \$10.00 level. Please note that this
4 \$10.00 limit does not apply to the initial partial filing fee described above. Finally, the monthly payments
5 should be collected and forwarded to the court until the entire filing fee (\$150.00) for this matter has been
6 paid.

7 (3) The Clerk is directed to send a copy of this Order to plaintiff, to the Court's Financial
8 Administrator and to the financial officer at the agency having custody of plaintiff.

9 DATED this 4 day of February 2000.
10

11
12 
13 RICARDO S. MARTINEZ
14 United States Magistrate Judge
15
16
17
18
19
20
21
22
23
24
25
26
27
28